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PATENT DOCKET 207,643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Phillips, et al.

EXAMINER:

SERIAL NO.:

10/582,617

ART UNIT:

FILED:

June 9, 2006

FOR:

HIGH IMPACT GATE

Date: March 7, 2007

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement (hereinafter sometimes referred to as "IDS") is submitted in accordance with 37 C.F.R. 1.97,1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

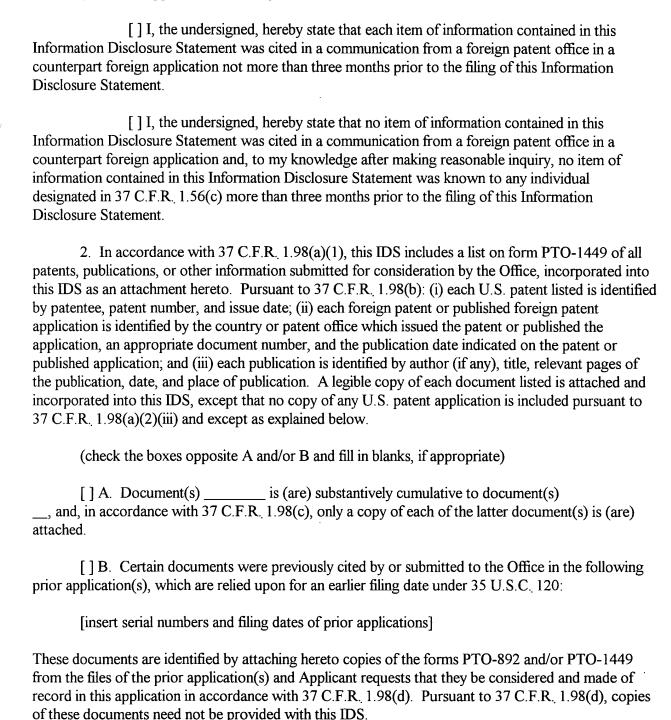
1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes opposite A-D) [] A. within three months of the filing date of the above-identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in the above-identified international application. [X] B. before the mailing date of a first office action on the merits. [] C. after the times set forth in (A) and (B) above, but before the mailing date of either a final action under 37 C.F.R. 1.113 or a notice of allowance under 37 C.F.R. 1.311, and the necessary statement pursuant to 37 C.F.R. 1.97(e) appears below (see box "i") or the necessary fee is enclosed (see box "ii" below). (check one of the boxes opposite "i" or "ii" below) [] i. (check the applicable statement) [] I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. [] I, the undersigned, hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. [] ii. A check for the fee set forth in 37 C.F.R. 1.17(p), presently believed to be \$180.00, is enclosed. [] D. after the times set forth in (A), (B), and (C) above, but before payment of the issue fee, since Applicant petitions for the consideration of this Information Disclosure Statement by a petition enclosed herewith pursuant to 37 C.F.R. 1.97(d)(2), a check for the petition fee set forth in 37 C.F.R. 1.17(i), presently believed to be \$ 130.00, is enclosed, and the necessary statement pursuant to 37

C.F.R., 1.97(e) appears below:

(check the applicable statement)

(check paragraphs 3 and/or 4, if applicable)



1.98(a)(3),1.98(c), it is stated that:
(check the applicable statement(s))
[] English translation(s) of the document(s) (or of the pertinent portions thereof) is (are) enclosed and, thus no concise explanation of their relevance is required, (see M.P.E.P., 609, p. 600-92).
[] English-language equivalent(s) of the document(s)(or of the pertinent portions thereof) which is (are) in fact translation(s) of the document(s) is (are) enclosed.
[] The attached English-language version of a search report or other action by a foreign patent office in a counterpart foreign application which cites document(s) and which indicates the degree of relevance found by the foreign office is submitted to satisfy the requirement for a concise explanation of the relevance of the document(s), (see M.P.E.P., 609, p. 600-93).
[] A concise explanation of the relevance of document(s) is set forth as follows:
[insert concise explanation of relevance] [] A concise explanation of the relevance of document(s) can be found on page(s) of the specification.
[] A concise explanation of the relevance of document(s) can be found on the attached sheet.
[] 4. Other information being provided for the Examiner's consideration follows:
5. In accordance with 37 C.F.R. 1.97(g),1.97(h), the filing of this IDS shall not be construed as a representation that a search has been made or as an admission that information cited in this IDS is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant

reserves the right to prove that the date of publication is in fact different.

6. Please charge any deficiency or other fees or credit any refund or overpayment to Deposit Account No. 01-0035.

Respectfully submitted,

al S. Cinamon

Attorney for Applicants Registration No. 24,156

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/582,617	-	
Filing Date	June 9, 2006		
First Named Inventor	PHILLIPS, et al.		
Art Unit	N/A	-	
Examiner Name	N/A		
Attorney Docket Number	207 643		

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (* known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
· <u>-</u>		US- 4,828,424	05/09/1989	Crisp, Sr.	
		^{US-} 5.624.203	04/29/1997	Jackson et al.	
		^{US-} 5,823,705	10/20/1998	Jackson et al.	
		^{US-} 2003/0016996 A	01/23/2003	Gelfand et al.	
		US-			

		FORE	IGN PATENT DOCL	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
		WO 1990/002229 A	03/08/1990	Embassy Gate Associates		
		GB 2274131 A	07/13/1994	Carola Malkmus-Dornemann		
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Examiner	Date	
Signature	Considered	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.